

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 93

[Docket No. 98-070-1]

Harry S Truman Animal Import Center

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Cancellation of lottery for HSTAIC.

SUMMARY: In anticipation that the Harry S Truman Animal Import Center (HSTAIC) in Fleming Key, FL, may be closed, we are giving notice that we do not plan to hold a lottery in December 1998 for exclusive use of HSTAIC in calendar year 1999. In addition, we do not intend to enter into any more cooperative-service agreements with prospective importers for exclusive use of the facility unless it is certain the animals can enter HSTAIC on or before December 31, 1998. Ensuring that no animals enter HSTAIC after this date would allow us to close HSTAIC before the end of fiscal year 1999 if a decision is made to close the facility.

EFFECTIVE DATE: July 13, 1998.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-3276; or e-mail gcolgrove@aphis.usda.gov.

SUPPLEMENTARY INFORMATION: The regulations in 9 CFR part 93 (referred to below as the regulations) govern the importation of animals into the United States to prevent the introduction of serious communicable diseases of livestock and poultry. Under the regulations, certain animals may only be imported into the United States if, among other things, they are quarantined upon arrival at the Harry S Truman Animal Import Center (HSTAIC), a Federal facility in Fleming Key, FL, that provides maximum biosecurity.

Importers pay the costs of using HSTAIC while their animals are in the facility. However, the Animal and Plant Health Inspection Service (APHIS) must pay for staff, electricity, telephone, and other overhead costs when the facility is not occupied, as well as for general maintenance and repairs. HSTAIC has been consistently underutilized since it opened in 1979, and demand for use of the facility has been falling. Consequently, APHIS is losing an average of \$220,000 annually keeping

HSTAIC available to importers. In addition, HSTAIC urgently needs approximately \$4.5 million worth of repairs and upgrades for which APHIS does not have an appropriation. This would significantly increase the already substantial fees for use of HSTAIC if the cost of the repairs and upgrades were to be recovered from users. In addition, the purpose for a facility such as HSTAIC, to import new bloodlines from countries with exotic diseases such as foot-and-mouth disease and rinderpest, can now be accomplished more cheaply and more easily by importing germplasm, such as semen and embryos.

Under these circumstances, we are considering closing HSTAIC and plan to publish a proposed rule in the **Federal Register** for public comment on this issue in the near future. If we decide to close the facility following this rulemaking, we would like to do so before the end of fiscal year 1999 to minimize expenses we are incurring to keep the facility operating. To close by then, all animals would have to be out of the facility by about April of 1999. Even if a decision is made to try to keep HSTAIC open for use, and funding can be obtained for the needed repairs and upgrades, it will take many months to complete the needed repairs and upgrades. To allow for these possible actions, we are announcing that we do not plan to hold a lottery in December 1998 for exclusive use of HSTAIC in calendar year 1999. (Under § 93.430 of the regulations, APHIS enters into a cooperative agreement with only one importer at a time for use of HSTAIC. We refer to this arrangement as "exclusive use.") This notice also announces our intention not to enter into any more cooperative agreements with prospective importers for exclusive use of the facility unless it is certain the animals can enter HSTAIC on or before December 31, 1998.

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102-105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 6th day of July 1998.

Charles P. Schwalbe,

Acting Administrator, Animal and Plant Health Inspection Service.

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FEDERAL HOUSING FINANCE BOARD

12 CFR Part 904

[No. 98-26]

RIN 3069-AA71

Revisions to the Freedom of Information Act Regulation

AGENCY: Federal Housing Finance Board.

ACTION: Interim final rule with request for comments.

SUMMARY: The Federal Housing Finance Board (Finance Board) is revising its Freedom of Information Act (FOIA) regulation to comply with new statutory requirements. The Finance Board is also reorganizing and streamlining the FOIA regulation to clarify the Finance Board's practices and procedures in responding to requests for information.

DATES: The interim final rule will become effective on July 13, 1998. The Finance Board will accept comments on the interim final rule in writing on or before September 11, 1998.

ADDRESSES: Mail comments to Elaine L. Baker, Secretary to the Board, Federal Housing Finance Board, 1777 F Street, NW, Washington, DC 20006. Comments will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: Elaine L. Baker, Secretary to the Board and Associate Director, Executive Secretariat, Office of the Managing Director, 202/408-2837, or Janice A. Kaye, Attorney-Advisor, Office of General Counsel, 202/408-2505, Federal Housing Finance Board, 1777 F Street, NW, Washington, DC 20006.

SUPPLEMENTARY INFORMATION:**I. Statutory and Regulatory Background**

Congress amended FOIA by enacting the Electronic Freedom of Information Act Amendments of 1996 (EFOIA). See 5 U.S.C. 552, *as amended by* Pub. L. 104-231, 110 Stat. 3048 (Oct. 2, 1996). Among other procedural changes, EFOIA increases the time for responding to a FOIA request from 10 to 20 days, specifically applies FOIA disclosure requirements to electronic records, and adds frequently requested records as a category of reading room records. EFOIA also requires an agency to promulgate regulations that provide for the expedited processing of FOIA requests.

In addition to amending its FOIA regulation, codified at 12 CFR part 904, to comply with these statutory changes, the Finance Board is reorganizing and streamlining the regulation to clarify its practices and procedures in responding